CITY OF PALATKA
PLANNING BOARD AGENDA
April 1, 2014

1. Call to Order.

2. Roll Call.

3. Approval of Minutes of the March 4, 2014 meeting.

4. Appeal procedures and ex-parte communication.

5. **OLD BUSINESS: None**

6. **NEW BUSINESS:**

Case 14-06: A request for a Conditional Use for an indoor recreation facility in a C-2 (Intensive Commercial) zoning district.

Location: 3204 Crill Ave.
Applicant: Jaymin Patel

Case 14-07: A request for a Conditional Use for wall murals in an DB (Downtown Business) zoning district.

Location: 726 St. Johns Ave.
Applicant: Conlee Snyder Mural Committee

Case 14-08 A request for a conditional use for a child care facility in a C-2 (Intensive Commercial) zoning district.

Location: 1209 Carr St.
Applicant: Beverly Robinson

7. **OTHER BUSINESS - None**

8. **ADJOURNMENT**

ANY PERSON WISHING TO APPEAL ANY DECISION MADE BY THE PLANNING BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING WILL NEED A RECORD OF THE PROCEEDINGS, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED, AT THE EXPENSE OF THE APPELLANT. F.S. 286.0105

PERSONS WITH DISABILITIES REQUIRING ACCOMMODATIONS IN ORDER TO PARTICIPATE IN THIS MEETING SHOULD CONTACT THE CITY BUILDING DEPARTMENT AT 329-0103 AT LEAST 24 HOURS IN ADVANCE TO REQUEST SUCH ACCOMMODATIONS.

CITY OF PALATKA
PLANNING BOARD MINUTES
March 4, 2014 – Draft copy

The meeting was called to order by Chairman Daniel Sheffield at 4:05 pm. **Other members present:** Anthony Harwell, Joe Pickens, Lavinia Moody, Charles Douglas, Jr., Joseph Petrucci and George DeLoach. **Members absent:** Earl Wallace. **Also present**: Planning Director Thad Crowe, Recording Secretary Pam Sprouse and City Attorney Donald Holmes.

Motion was made by Mr. DeLoach and seconded by Ms. Moody to approve the minutes for February 4, 2014 meeting with correction to case no. 14-01. All present voted affirmative, motion carried.

Chairman Sheffield read the appeal procedures and called for any ex-parte communications regarding any case.

NEW BUSINESS:

Case 14-03: Conditional use request to locate an alcohol serving establishment within 300 ft. of a church **(Public Hearing)**

Mr. Crowe gave an overview of the proposed request and showed photos of the existing restaurant business. The Caribbean 450 restaurant takes up the portion of the building facing N. SR 19 and includes a kitchen, take-out window, and an outside area along the SR 19 frontage that includes 15 patio tables. Most of the building is dedicated to a barbershop, which is a separate unit from the restaurant within the building. Both uses were approved and permitted under Putnam County prior to annexing into the City last year. The request is for on-premise consumption of alcohol sales. He mentioned concerns for parking, as the City code would require 23 parking spaces and the applicant has only 16 spaces. Mr. Crowe advised that no comments were received from the notices sent out to surrounding property owners. He recommended that in addition to the required buffer along State Rd. 19 that a three to four foot fence be placed around the perimeter of the outdoor alcohol sales area as required by the alcohol ordinance. He made the following recommendations as a condition of approval. Staff recommended approval of this request with the following conditions and conformance to the site plan:

1. Taller hedge plants in the landscape strip paralleling N. SR 19 shall be planted at three-foot intervals in order to provide a hedge up to four feet in height that partially screens the parking lot and outdoor seating. Plant material or alternative fence material to be approved by Building and Zoning Dept.
2. Some combination of fences, walls, or hedges that provide a continuous perimeter for the outside alcohol consumption area is required to identify the limits of alcohol consumption and restricting the ability for those wanting to pass out alcoholic beverages to minors.
3. Hours of operation are limited to 10 AM to 9 PM Monday-Thursday, 10 AM to 10 PM Friday, and 11 AM to 11 PM Saturday.
4. In order to not exceed minimum parking requirements, the number of tables and/or the barbershop floor area must be reduced to a combination that does not require more than 13 parking spaces. As an alternative, the Applicant may also choose to provide a letter from a business within 600 feet that allows the use of "excess" parking (as determined by city staff) at such off-site locations.
5. The Planning Board shall have the ability to re-evaluate the approval conditions if such conditions are not met, including if documented and ongoing parking problems occur including parking in roadways or swales, or at neighboring businesses or homes without approval; or if ongoing noise complaints pose a public safety problem.

Vice-Chairman Pickens suggested that if excess parking from neighboring commercial property owners is to be provided to meet minimum parking requirements, then maybe that allowance should be limited to the east side of State Rd. 19 and the north side of Reid St. Mr. Crowe agreed that the code does consider public safety and that the "borrowed" excess parking must be within 600 feet and not across a major thoroughfare.

Vice-Chairman Pickens asked the applicant if this was primarily a take-out restaurant and if he intended to sell alcohol to go. Eddie Stoveall, 1438 Canopy Oaks Dr., Orange Park, stated that his restaurant is primarily take-out with optional patio dining. He added the restaurant license is "package license" that allows both on-premise consumption and package sales; however his plan was for on-premise consumption.

Pastor Ed Wiles, Palatka Baptist Temple 908 N. State Rd. 19, located across the street, expressed his church's opposition to the request due to the outdoor alcohol consumption. He added that no one had come to talk to him about this request, that when Bradley's went in, just up the street to the north, they came and spoke with the church and one of the church's questions to them was would there be outdoor consumption or consumption to go and they advised no. He added that as a church they have a problem with the outdoor consumption. Mr. Crowe explained that outdoor consumption must be kept within a defined area that is completely closed off from any other outside area and or manned with signage (no alcohol beyond this point) to prevent those beverages from leaving the area or being passed through that defined area. This is required in the alcohol ordinance which mirrors the State's requirements.

Mr. Stoveall stated that he had a letter of authorization from a neighboring business owner, Richard Adams allowing him to use their property for overflow parking. Mr. Holmes shared his legal perspective that the only rational basis for a distinction between the existing similar use just north of this location and this one is that one is indoor consumption and the other is outdoor consumption. To the extent that he lessens that distinction by enclosing that area with something (the more substantial the better) that distinction tends to go away. In which case, you have similar uses in close proximity which would argue in favor of approval, unless you can find another basis for finding a difference.

James "Sonny" Harrell Jr., 1100 State Rd. 19, stated his opposition to the request citing as being biased against churches, that if this were a church requesting to locate next to a bar the City would turn it down.
Mr. Holmes responded that while it has no bearing on what the Board does here today, but Mr. Harrell is correct in that the City has not turned down many alcohol serving establishments, however it has also never turned down a church with the exception of the once recently on St. Johns Ave. for very different reasons.

(Regular Meeting) Vice-Chairman Pickens remarked on the distinction between outdoor consumption and indoor consumption, and also noted that the conditional use requirement requires that the Board provide further consideration and scrutiny.

Motion made by Vice-Chairman Pickens and seconded by Ms. Moody to permit the conditional use as permitted if the applicant secures required offsite parking on the east side of SR 19 and north side of State Rd. 100 so as to not have patrons of this business establishment crossing the highway to access the restaurant, and additionally subject to the other staff recommendations to include more specifically for item no. (2) to require a three to four foot hedge or other obstructive material around the consumption area prior. All present voted affirmative, motion carried.

Case 14-05: Administrative request to amend Municipal Code Chapter 94 (Zoning) Section 261 (f) to reduce the minimum size of parking spaces from 10 feet by 20 feet to 9 feet by 18 feet.

Jonathan Griffith, Special Projects and Grants Administrator for the City of Palatka explained that this request is triggered by the downtown revitalization efforts, the City's interest and the vision of redevelopment expected in the next five to ten years. He expressed that one of the benefit of this request is the reduction of impervious area and runoff and some of the larger surface lots. Another benefit is the preservation of land for the highest and best use, such as open space, park space and commercial. He explained that if this amendment is implemented, it is not just the reduction of the width that impacts the size, the length dimension impacts the square footage of the isle as well, so it is a 16 to 20% overall decrease in paved surface. In terms of downtown, the City is very focused on creating and retaining the retail corridor. Staff would like to see some urban infill, using the Prosperity Bank's parking lot as an example, he explained to do so you must use the property more efficiently. If developers were able to use the 9'x 18' spot, they would be able to get some of that urban infill (vertical mixed use buildings) on St. Johns Ave with the interior used for the lot used for parking. He reviewed research of allowable space sizes for some other towns such as Deland, St. Augustine and Mount Dora that vary in size and some allowance of even smaller sizes for compact cars.

Vice-Chairman Pickens asked if Staff had considered doing something with a mixture of sizes to accommodate the varying sizes of cars these days. He would also be interested in a mix to allow for reduced sizes, but also wanted accommodate the varying types of drivers and vehicles. Mr. Griffith responded that Staff did consider that and if the Planning Board would like to see them he could come back with an amended proposal. Vice-chairman Sheffield asked if staff had any idea of an appropriate ratio of mixed sizes. Mr. Griffith replied that he would like the Planning Director to weigh in on that, but he believes that a 60% standard and 40% compact would be acceptable. Mr. Crowe added he has seen anywhere from 25% to 40% for compact spaces and that it is truly a community standard that the City can define. He added that recently a request to the Zoning Board of Appeals was approved for 40% reduced size spaces for the new Family Dollar at 3205 Crill Ave.

Motion made by Mr. DeLoach and seconded by Vice-Chairman Pickens to table the request to allow additional research by staff to come up with a compromise with multiple sizes of parking spaces and to include information regarding other similar communities successfully using mixed sizes for development and provide those ratios. Mr. Griffith asked if the Board would want the research limited to Florida communities of similar population and character of the community. All present voted affirmative, motion carried.

Mr. Crowe asked to gauge the interest of the Board for Staff to propose a code amendment including a mechanism to revoke conditional use permits that do not comply with the approval conditions. By Board consensus, staff was directed to bring back such an amendment.

Mr. Crowe read into the record a memorandum addressed to the Planning Board and the City Commission clarifying elements of the particular procedure regarding the approval of PB Case 13-46, for a conditional use for First Baptist Church located at 511 St. Johns Ave., in light of the recent press and controversy generated by the item.

Mr. Czymbor further emphasized that with no grey areas, the Board has code responsibilities which, City Staff has no ability to override the actions of the Board. He added that Staff believed that they were acting in good faith; they were consistent, transparent, meeting with the representatives of the Baptist Church to try to develop a comprehensive solution that could address both the needs of the Church as well as meeting the needs of the City with regards to maintaining the integrity of that commercial corridor in our community. He added that Staff works very hard every day for the City, and acknowledge that staff is really trying to do the best that they can with the significant challenges of this community; being fiscally distressed, having to recognize where we are and where we need to get to, by being creative and to do the things that sometimes are difficult to accept. Anytime you make a change, for some people whether small or large, change can be difficult. He ended by

saying that the Board's task can be difficult if there are questions that are unanswered or they don't have all the facts that they need to make the best decision moving forward, staff would highly recommend that the item be tabled. He thanked the Board for their service to the Community and the job that they do.

Ms. Moody said that she would have like more information regarding all of the meetings that went on that they were not privy to. The Board agreed.

Mr. Crowe introduced new Planning Board Member Mr. Campbell.

Chairman Sheffield reminded Mr. Crowe of the need for a workshop/continued training for Board members.

Mr. Crowe advised that currently the Code has a description of the Planning Board's responsibilities which does not really match up with what the Board does. In the future, staff will be providing more orientation with some ongoing training. He offered to provide notebooks with a copy of the zoning code and the comprehensive plan that the Board can consult.

Adjournment – There being no further business, the meeting was adjourned at 6:55 p.m. upon a motion by Vice-Chairman Pickens, seconded by Ms. Moody. By Board consensus, Motion carried.

Case 14-06
Request for Conditional Use
Indoor Recreation Use at 3204 Crill Ave.
Applicant: John Key, Esq.

STAFF REPORT

DATE: March 25, 2014

TO: Planning Board Members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To consider a request for a Conditional Use for an indoor recreation use. Public notice included newspaper advertisement, letters to nearby property owners (within 150 feet), and property posting.

APPLICATION BACKGROUND

The C-2 zoning district allows by Conditional Use indoor commercial recreational facilities "such as motion picture theaters, billiard parlors, swimming pools, bowling alleys and similar uses, provided such uses shall be in soundproof buildings."

PROJECT ANALYSIS

The request is for a vacant 2,146 SF store in the Westgate Plaza shopping center, at Crill and Palm Avenues. The shopping center predates the Zoning Code and exhibits nonconforming characteristics of use, namely a lack of parking lot landscaping. The table below and accompanying maps show site and surrounding uses and land use/zoning designations.

Table 1: Site and Surrounding Properties Land Use

	Actual Use	Future Land Use Map	Zoning
Site	Shopping center	COM (Commercial)	C-2 (Intensive Commercial)
North	Cemetery	PB (Public Buildings & Grounds)	PBG-1 (Public Buildings & Grounds-1)
East	Cemetery	PB (Public Buildings & Grounds)	PBG-1 (Public Buildings & Grounds-1)
South	Retail store Veterinary clinic Single-family home	COM (Commercial)	C-2 (Intensive Commercial)
West	Retail Stores	COM (Commercial)	C-2 (Intensive Commercial)

The Applicant's justification statement notes that this will be an indoor entertainment facility "providing Internet access time on a rental basis, and also providing copy machine services, facsimile services, email services, and small-scale printing services similar to a Kinko's." Staff has to make the assumption that a good-faith explanation of activities would not include any illegal activities associated with the internet cafes as prohibited by the Florida Legislature. It is local law enforcement's obligation to ensure that such activities operate in compliance with local and state law.

Figure 1: Location Map

Criteria for consideration include the following (italicized) as well as the general finding that the conditional use will not adversely affect the public interest.

a. Compliance with all applicable elements of the comprehensive plan.
The application is not in conflict with applicable elements of the Comprehensive Plan.

b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.

Vehicular Access and Traffic Flow.
The property has multiple access points to Crill and Palm Avenues.

Pedestrian Safety
There are sidewalks along both Palm and Crill Avenues.

c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.

Minimum required parking for retail uses are one space for every 200 square feet of nonstorage space. The estimated 37,000 SF of non-storage retail space on the site would require 185 parking spaces. The parking lot allows for around 145 parking places in the front and an additional estimated 50+ parking spaces in the rear.

d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.
All dumpsters on site will require screening.

e. Utilities, with reference to location, availability and compatibility.
The property is appropriately served by utilities.

f. Screening and buffering, with reference to type, dimensions and character.
Applicable sections of the City's landscape ordinance include the provision of roadway buffers on the east, west, and south sides, a commercial-residential buffer to the north, and interior parking lot landscaping. The property does not comply with the Landscape Code as there is no on-site landscaping. Based on the Board's past practice regarding nonconforming parking lots Staff recommends postponing compliance with the landscape code pending the completion of code revisions.

g. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.
The only signs on the site are wall or window signs associated with individual storefronts.

h. Required yards and other open space.
See f. above.

i. General compatibility with adjacent properties and other property in the district.
The use and overall property is within an established retail node and thus is internally compatible.

j. Any special requirements set out in the schedule of district regulations for the particular use involved.
There are no special requirements set forth in the Zoning Code for this type of use.

k. The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.
Not applicable.

Impact on Public Interest
As of the time of packet assembly, Staff had not received comments from the Police Dept. regarding potential public safety issues. Staff will provide any additional information like this to the Board at the meeting.

STAFF RECOMMENDATION

Staff recommends approval of the request for a Conditional Use for an indoor recreation facility at 3204 Crill Ave with the following conditions.

- The second store from the east end of the building shall be used for an indoor entertainment facility providing Internet access time on a rental basis, and also providing copy machine services, facsimile services, email services, and small-scale printing services similar to a Kinko's.
- Applicant shall comply with Landscape Code provisions upon their adoption.
- All dumpsters shall be screened.

ATTACHMENTS: APPLICANT NARRATIVE & JUSTIFICATION

Kiwi Business Center
3204 Crill Avenue
Palatka, FL 32177

JUSTIFICATION STATEMENT

This conditional use request by Kiwi Business Center ("Kiwi") is for an indoor entertainment facility providing Internet access time on a rental basis, and also providing copy machine services, facsimile services, email services and small-scale printing services similar to a Kinko's, for example.

The site is located within a long-established strip mall located at the corner of Palm and Crill popularly known as the Sav-a-Lot shopping center.

Pursuant to Section 94-3 (4), Conditional uses, the following is submitted for assisting with findings:

a. Compliance with all applicable elements of the comprehensive plan. The site is zoned C-2 and the requested use requires conditional use approval per section 94-149 per the Palatka Municipal Code. The requested use is not disallowed under the Comprehensive Plan.

b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe. Motor vehicle ingress and egress are from Palm Avenue to the east and also from Crill Avenue to the south. Pedestrian traffic is limited. Safety features include crosswalk signals at Palm and Crill, speed bumps in the parking lot, night lighting, and a fire lane in front of the store.

c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district. Parking requirements are met with adequate parking in the strip mall parking lot and large sidewalk under the overhang in front of the store. There are no economic, noise, glare or odor issues which would impact adjoining properties.

d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section. Service are will be in the rear of the store behind the strip mall. The store will use a dumpster located behind the store at the same general location as the prior tenant.

e. Utilities, with reference to location, availability and compatibility. City water and sewer have been provided for many years at this location. The electric service available is sufficient to meet the needs of Kiwi.

f. Screening and buffering, with reference to type, dimensions and character. Not applicable. There is a concrete block wall behind the strip mall which separates the strip mall and service area behind it from the cemetery to the north.

Case 14-07
Specific Review of Approved Conditional Use
Wall Graphic: 726 St. Johns Ave.
Applicant: John Alexander, on behalf of the Conlee-Snyder Mural Committee

STAFF REPORT

DATE: March 25, 2014

TO: Planning Board Members

FROM: Thad Crowe, AICP, Planning Director

APPLICATION REQUEST

To consider a request for a wall graphic (mural) on the west building wall of 726 St. Johns Avenue. Courtesy (not required) public notice included newspaper advertisement, letters to nearby property owners (within 150 feet), and property posting. Please note that this mural was approved at the Board's September, 2014 meeting as to location and conceptual design (PB 12-44).

APPLICATION BACKGROUND

The building hosting the murals is in the downtown area and is occupied by a boutique (Figure 1). The mural (Figure 2) will be painted on the first floor wall.

Figure 1: 726 St. Johns Ave.

The DB (Downtown Business) zoning district allows for wall graphics through the Conditional Use process. A Conditional Use is a use that would not be appropriate generally or without restriction throughout a zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, morals, order, comfort, convenience, appearance, prosperity or general welfare.

Figure 3: 726 St. Johns Ave.

Figure 4: Mural Specific Design

STAFF RECOMMENDATION

Staff recommends approval of the specific design for the Harlem Nights mural, as presented, at this location.

Case 14-08
Request for a Conditional Use for Child Care Facility
1209 Carr St.

STAFF REPORT

DATE: March 24, 2014

TO: Planning Board members

FROM: Thad Crowe, AICP
Planning Director

APPLICATION REQUEST

The application is a request for a conditional use for a child care facility. Required public notice was met, including legal advertisement, property posting, and letters to nearby property owners (within 150 feet).

APPLICATION BACKGROUND

The facility would be located on the southeast corner of Carr and S. 13th Streets (see Figure 1 below). In a meeting with Staff the Applicant indicated that there would be up to 60 children, ten employees, and hours of operation would be Monday through Saturday, 6 AM to 6 PM. The table on the following page shows Future Land Use Map, zoning, and actual use of the site and surrounding properties.

Figure 1: Property Location – former residence is in transitional area between industrial and residential uses. Matthews mini-storage is to bottom/south, Matthews warehouse is to east/right, far right is Ride Solution bus repair facility, and left/west is established residential area (part of the larger Palatka Water Lots subdivision that stretches from the South Historic District to include the residential areas northwest of this property.

Table 1: Site and Vicinity Land Use and Zoning Classifications

Property	FLUM *	Zoning	Existing Use
Site	RL (Residential Low Density)	C-2 (Intensive Commercial)	Vacant (former church converted from residence)
Property to North (across Carr St.)	RL (Residential Low Density)	R-1 (single-family residential)	Undeveloped
Property to South	RL (Residential Low Density)	C-2 (Intensive Commercial)	Undeveloped
Property to West (across S. 13th St.)	RL (Residential Low Density)	R-1 (single-family residential)	Single-family home, duplex
Property to East	COM (Commercial)	C-2 (Intensive Commercial)	Warehouse building

** Comprehensive Plan Future Land Use Map designation*

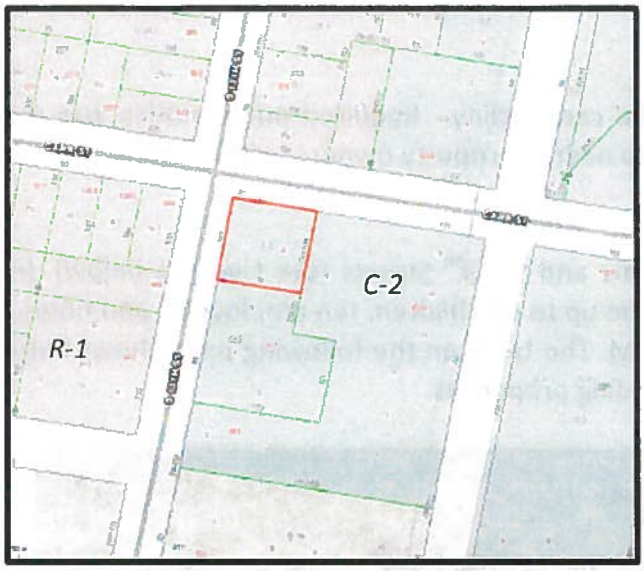


Figure 2: Zoning.

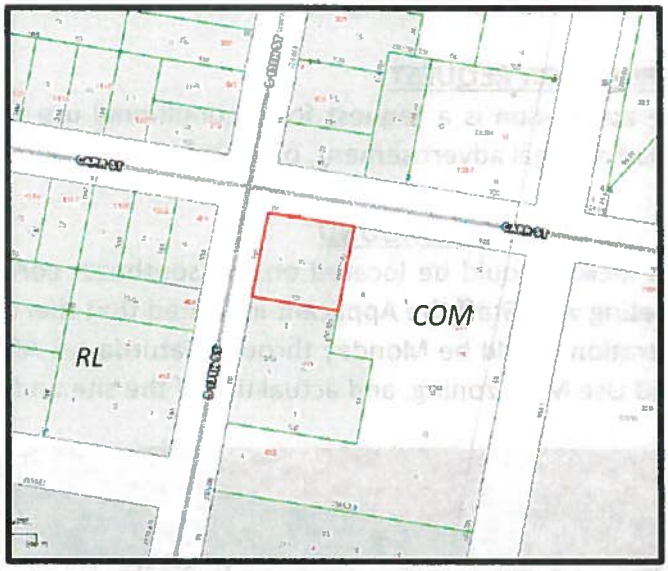


Figure 3: Future Land Use Map.

The C-2 zoning is shown in the dark sea green color above and also includes the vacant lot to the south. However the Future Land Use Map, which prevails, shows this area in light green as Residential Low Density (Staff is including these two properties in a upcoming "glitch" land use and zoning that reconciles the two, in this case changing the future land use to commercial and the zoning to neighborhood commercial). Properties north and west of this site have residential land use and zoning.

Figure 4: Building from S. 13th St. The Matthews warehouse is to the right. The rear of the building would be fenced in and utilized for outdoor play area.

Figure 5: Building from Carr St. (Matthews warehouse is to left/east). Side yard was used by former church for parking, with resulting erosion, sidewalk damage due to uneven grade of dirt surface, and compaction of established tree roots.

Figure 6: Matthews warehouse property immediately adjacent, east of site – one alternative for off-site employee parking.

Section 94-3 of the Zoning Code governs Conditional Uses, and provides the authority for granting such uses to the Planning Board, although the decision can be appealed to the City Commission by an "aggrieved" person.

PROJECT ANALYSIS

Criteria for consideration include the following (italicized) as well as the general finding that the conditional use will not adversely affect the public interest.

a. Compliance with all applicable elements of the comprehensive plan.
The amendment is in line with stated purposes of promoting infill and mixed-use development, renewing blighted properties, encouraging the use of existing commercial areas, and mixing uses and reducing travel times, demonstrated by Comprehensive Plan Future Land Use Element objectives and policies below.

Objective A.1.2 *9J-5.006(3)(b)2*
Upon Plan Adoption, the City shall implement the following policies in order to provide the means for redevelopment and renewal of blighted properties.

Policy A.1.6.1 *9J-5.006(3)(c)*
Provide incentives which direct development to infill in areas of the City with in-place water/sewer lines and paved road. These incentives may include, but not be limited to providing additional permitted land uses through special use designations under the City Zoning Code such as approved "mother-in-law" units with separate kitchens or home office operations for limited business activities.

Policy A.1.6.2 *9J-5.006(3)(c)3*
Minimize scattered and highway strip commercial by directing commercial development to occur in a planned and compact manner through in-filling within already developed commercial areas as identified on the Future Land Use Map.

Objective A.1.8 *9J-5.006(3)(b)9; F.S. 187.201(16)(b)3*
Upon Plan adoption, The City shall establish a program that provides the means for innovative development planning. The end goals of the program are to provide:

- *Flexibility and efficiency in site design to reduce infrastructure costs, improve interior circulation patterns, and promote open space;*
- *Development that is adapted to natural features in the landscape such as wetlands, vegetation and habitat, and which avoids the disruption of natural drainage patterns; and*
- *A mix of land use to promote convenience in the location of related uses and to reduce travel congestion and costs.*

b. Ingress and egress to property and proposed structures thereon, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
The property has good vehicular and pedestrian access, with a surrounding grid pattern network of streets and sidewalks. Staff did not observe a high level of traffic on Carr St or S. 13th St. that would present a problem in regard to on-street drop-off and pick-up, although S. 13th St. appears to get slightly more traffic. While the paved width of Carr St. narrows considerably west of S. 13th St., the segment on the 1200 block is wide enough to allow the on-street loading and unloading to not interfere with through traffic.

c. Off-street parking and loading areas, where required, with particular attention to the items mentioned in subsection (4)b of this section and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.

In determining minimum required parking for the child care use, it should be noted that Zoning Code Sec. 94-262 does not specifically list child care in the table of required parking spaces, which notes that if the use is not listed in this table the parking requirements shall be determined by the Planning Board (this approval can be given in the context of conditional use approval). The Board has in the past accepted the standard of two spaces per employee standard for the child care use, which would require 20 spaces. This should cover peak-time employee and visitor parking adequately.

While it was the Applicant's original intent, Figure 5 demonstrates the effect of past on-site unimproved parking with visible erosion and impacts to sidewalks and trees. The Zoning Code [Section 94-261(c)(2) requires hard surfaces for parking, which includes asphalt, concrete, paver blocks, but not loose material like mulch, gravel, dirt, etc. Parking on the east side of the building would further harm the existing cedar trees on the site, so Staff recommends two options: 1) off-site parking on the Matthews warehouse property to the east; and 2) improved parking on the adjacent lot that is south of the site. Both of these alternatives would require written permission of this adjacent property owner.

The Zoning Code (Section 94-261(e) allows for off-site parking that is within 600 feet of the use with an off-site parking agreement required between the owners of the use, owners of the property on which the parking will take place, the proposed use (child care facility), and the use for which the parking is designated (Matthews warehouse to the east and mini-storage to the south). However the Matthews use can only provide parking that is in excess of their own required minimum parking. Staff surveys indicate that the Matthews use requires 30 parking spaces, based on a total building size of around 30,000 square feet (based on one space per 1,000 square feet for industrial uses). The Matthews site provides around 44 parking spaces (around 18 on the warehouse site to the east and 27 on the mini-storage site to the south, therefore having 15 excess parking spaces. Staff recommends the spaces along the side/west fence line of the Matthews warehouse property closest to Carr St. be reserved for seven child care employee parking spaces. Staff would note that this is below the peak employee request of ten.

d. Refuse and service areas, with particular reference to the items mentioned in subsections (4)b and c of this section.
A dumpster or trash can(s) must be screened in accordance with Zoning Code Sec. 94-311 (screened by plants, opaque fencing, or masonry walls to provide between six and eight feet of screening).

e. Utilities, with reference to location, availability and compatibility.
The property is appropriately served by utilities.

f. Screening and buffering, with reference to type, dimensions and character.
Zoning Code Section 94-302(b)(3) requires that a Conditional Use conform with applicable sections of the landscape code. There are two applicable landscape code sections triggered by this action: Zoning Code Section 94-304 (rear and side yards) and 94-305 (street buffer). Table 94-304 requires an "A" type buffer along the east and south property lines with the following options.

Table 3: Type "A" Buffer Planting Standards (east and south property lines)

	Option 1	Option 2
Buffer Width	5 feet	10 feet
Understory Trees per 100 linear feet	0	2
Understory Trees Required	*0*	*4*
Shrubs per 100 linear feet	20	15
Shrubs Required	*40*	*30*
Six-foot tall fence required	Yes	No

Table 4: Roadway Buffer Planting Standards (for Carr & S. 13th St. frontages)

	Option 1	Option 2
Buffer width	8 feet	5 feet
Canopy trees per 100 linear feet	1	1
Canopy trees required (200' frontage)	*2*	*2*
Shrubs per 100 linear feet	20	15
Shrubs required (200' frontage)	*40*	*30*

The Applicant is credited with three canopy trees: two within or close to the Carr St. roadway buffer and another within the S. 13th St. roadway buffer. One new shade tree will be required along S. 13th St., behind the building. The shrubs above will be required, except that a six-foot tall fence is allowed along the south/rear property line as an alternative to the shrubs. The outdoor play area must be fenced in.

g. Signs, if any, and proposed exterior lighting, with reference to glare, traffic safety, economic effects, and compatibility and harmony with properties in the district.
No sign has been proposed yet. Signs must conform to the sign code. Any exterior lights shall be hooded and downcast to minimize glare to adjacent roadways and properties.

h. Required yards and other open space.
See f. above. Additionally, Staff recommends that the outdoor play area be a grassy area for the safety of children. An alternative would be the use of rubber or wood mulch or another substance that provides a forgiving surface for the children.

i. General compatibility with adjacent properties and other property in the district.
The Comprehensive Plan and Municipal Code generally deal with compatibility in light of nonresidential uses impacting residential uses. A child care facility would be considered a transitional use between the more intense industrial uses to the east and the low-intensity residential uses to the west. An indicator of compatibility is the input of nearby residents, who were notified by letter and property posting of the proposed use (at the time of packet distribution the department had received no questions or comments from the public).

j. Any special requirements set out in the schedule of district regulations for the particular use involved.
There are no special requirements for child care facilities in the Municipal Code. Child care facilities are licensed and regulated by the state and must provide a certain amount of indoor and outdoor play space, among other things.

k. The recommendation and any special requirements of the historic preservation board for uses within the HD zoning district.
Not applicable.

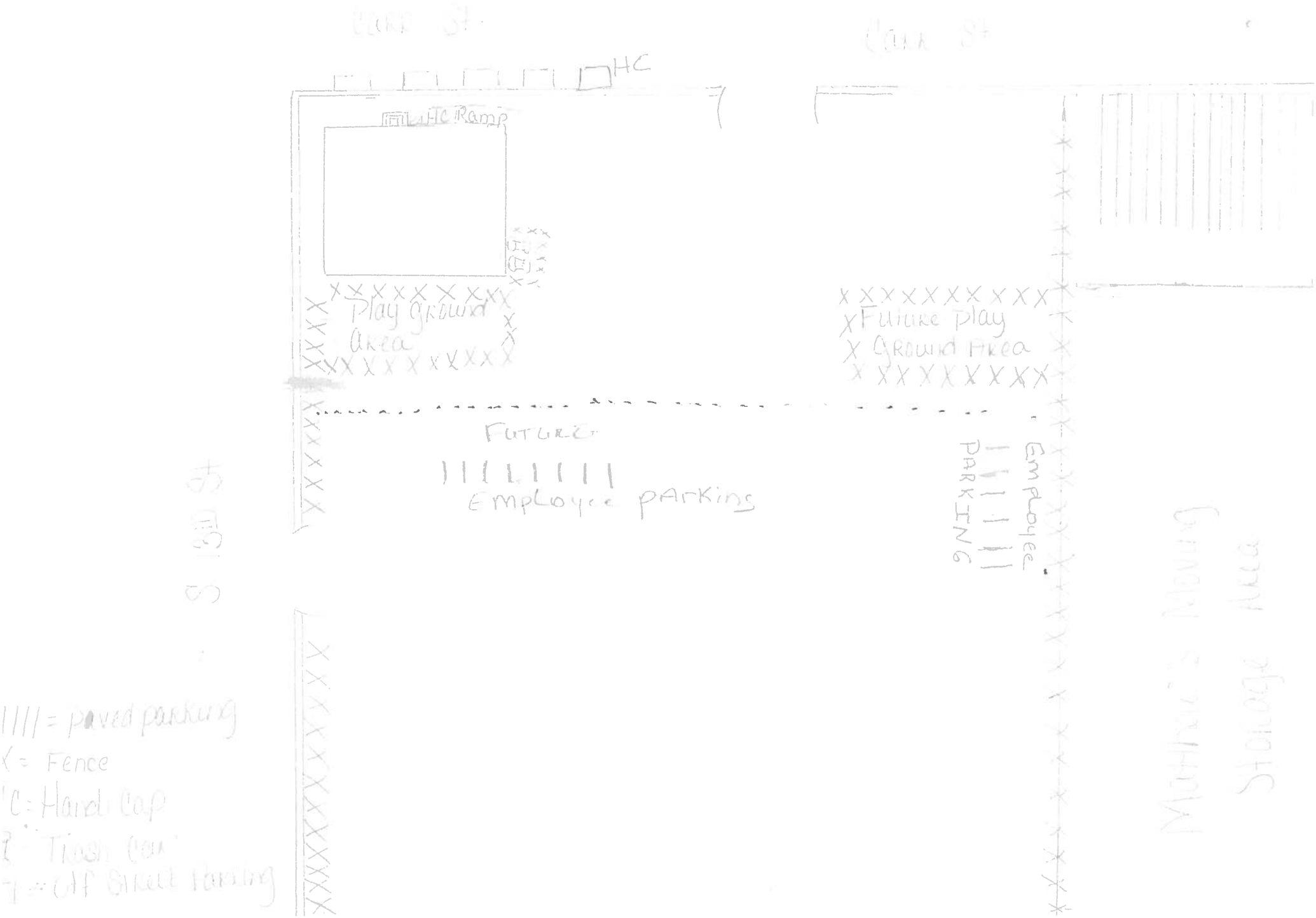
Impact on Public Interest
A review of the criteria above indicates that the proposed conditional use would not present a substantially negative impact on the overall public interest of the surrounding area and the City as a whole. The property is in an area of transition that is not appropriate for residential use, due to the adjacent industrial uses. Occupancy along with landscaping and other improvements would have a positive affect on the appearance of the property and surrounding properties as well.

A motion for approval should include any relevant conditions and findings for approval. Per Section 94-3(6) should the Planning Board decide to deny the application, such a motion should include the reasons for doing so, including reasons pertaining to the criteria listed above.

STAFF RECOMMENDATION
As demonstrated in this report, Staff believes that this application meets applicable conditional use criteria (if the recommendations below are followed). Staff recommends approval of Case 14-08, conditional use for child care center with the following conditions:

1. The use of a child care center shall be permitted with a maximum number of 60 students.
2. Parking on the east side of the building will further harm the existing cedar trees on the site, so Staff recommends two options: A) off-site parking on the Matthews warehouse property to the east; or B) improved parking on the adjacent lot south of the site.
3. If the Matthews property off-site parking is utilized, only 14 excess parking spaces are available, limiting the number of child care employees on-site during all times to seven.
4. Drop-off and pick-up shall occur on the Carr St. eastbound lane and shall be designated as such by a small directional sign.
5. A roadway buffer is required along Carr and S. 13th Street, with one canopy tree to be planted behind the building on S. 13th St., and other plantings as required in Tables 3 & 4.
6. The fenced-in outdoor play area shall be a grassy area, or an area with mulch or some other forgiving surface for the safety of children.
7. A dumpster or trash can(s) must be screened in accordance with Zoning Code Sec. 94-311 (screened by plants, opaque fencing, or masonry walls to provide between six and eight feet of screening on three sides).
8. Any exterior lighting must be shielded and downcast so as not to create glare that shines on adjoining properties or roadways.
9. Signs must conform to the Sign and Zoning Codes.
10. The applicant or owner shall apply for and receive any necessary state approvals for the expansion of the child care use.
11. All other applicable standards of the Municipal Code must be met.

ATTACHMENTS: APPLICANT'S SKETCH PLAN & JUSTIFICATION



Carr St.
Carr St.
HC
HC Ramp
Play ground Area
Future Play Ground Area
FUTURE
Employee parking
Employee PARKING
Mattress Moving Storage Area
S 13th St
= paved parking
= Fence
C = Hand Cap
Trash Can
= Off Street Parking

A Child's Safe Haven Child Care and Learning Academy
Beverly Robinson
1202 Carr Street
Palatka, Florida 32177
386-325-6633 /352-274-5308

March 6, 2014

City of Palatka Planning & Zoning
205 North 2nd Street
Palatka, Florida 32177

Dear Sir(s),

The reason I'm requesting a conditional license for a day care to be located at 1209 Carr Street is to provide quality child care as well as enhanced learning for the children of our community; while maintaining a safe and secure learning environment.
I consider it an honor and privilege to be a professional leader of the child care profession and a positive peer in the community.

Sincerely,

Beverly Robinson
Owner

A Child's Safe Haven Child Care and Learning Academy
1209 Carr Street
Palatka, Florida 32177
386-325-6633 / 352-274-5308
Beverly Robinson

Statement of Justification:

A) The inside and outside of building is in compliance with all applicable elements of the comprehensive plan at this time.

B) Ingress, the entrance to the property will be facing Carr Street;
The Egress, the exiting of the property as well as the side door which both face Carr Street , will be fenced in.

C) Off-Street Parking and loading areas will be inside a fenced area.

D) Same as 4-a&b

E) Utilities will be provided by the City of Palatka.

F) N/A at this time

G) Proposed exterior lighting is currently in place with security lighting; which is in compliance with traffic safety and etc...

H) Required yard space and open space is equipped and ready.

I) The general compatibility with adjacent properties and the other property in the district is equipped and ready.

J) N/A at this time

K) N/A at this time